



CERTIFICATE OF MAILING PURSUANT TO 37 C.F.R. §1.8

I hereby certify that this correspondence, pursuant to 37 C.F.R. §1.8, is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on:

Date: May 23, 2005

By: David J. Mason

- PATENT -

IN THE UNITED STATES PATENT AND
TRADEMARK OFFICE

Applicant(s): Michael N. Kozicki

Atty. Docket No.: 29089.5200

Serial No.: 10/796,808

Group Art Unit: 2823

Filed: March 8, 2004

Examiner: Kebede, Brook

TITLE: **PROGRAMMABLE STRUCTURE
INCLUDING AN OXIDE
ELECTROLYTE AND METHOD OF
FORMING SAME**

Confirmation No.: 2075

**TERMINAL DISCLAIMER
PURSUANT TO 37 C.F.R. §1.321(c)**

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

05/25/2005 SDENB001 00000034 192814 10796808
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Dear Sir:

The owner, Axon Technologies Corporation, of 100 percent interest in the instant application, hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term as defined in 35 U.S.C. §§154-156 of Patent No. 6,487,106. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full

statutory term as defined in 35 U.S.C. §§154-156 of the prior patent, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR §1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term.

Enclosed is a check for the requisite terminal disclaimer fee of \$130.00 under 37 CFR §1.20(d). The Commissioner is hereby authorized to credit any overpayment or charge any deficiency payment to Debit Account Number 19-2814 for any additional filing fees required under 37 C.F.R. 1.16 or 37 C.F.R. 1.17. **A duplicate copy of this sheet is enclosed.**

Respectfully submitted,

Dated: May 11, 2005

By: Victor Lyn
Victor Lyn, Executive Vice President for
Finance and Operations

did not receive the following
listed item(s): _____

did not receive the following
listed item(s) A check For \$ 130.00